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Bar No. 4811

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

IN THE MATTER OF)	Bankruptcy No. 11-60864
)	
GENE E. and LINDA ANN ATKINSON,)	
)	
Debtors.)	
_____)	

**DEBTORS' MOTION TO MODIFY
CONFIRMED CHAPTER 13 PLAN
DATED MAY 26, 2011, AND NOTICE**

COMES NOW Debtors, GENE E. and LINDA ANN ATKINSON, by and through their attorney of record, and hereby moves the Court for an Order modifying their Chapter 13 Plan Dated May 26, 2011, pursuant to 11 D.S.C. §1329, and F.R.B.P. 3015(g). The plan was filed on May 26, 2011 (Document No. 14), and was ordered confirmed by this Court on July 14, 2011 (Document No. 25). Debtors assert and state that the modification hereby requested is in the best interest of the bankruptcy estate.

WHEREFORE, Debtors pray for relief in accordance with Chapter 13 of the Bankruptcy Code.

DATED this 9th day of October 2011.

/s/ Mark S. Hilario
MARK S. HILARIO
Attorney for Debtor

NOTICE

If you object to the application, you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of the notice. The responding party shall schedule the hearing on the motion at least 20 days after the date of the response and request for hearing and shall include in the caption of the responsive pleading the date, time and location of the hearing by inserting in the caption the following:

NOTICE OF HEARING

Date: _____
Time: _____
Location: _____

If no response and request for hearing are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

DATED this 9th day of October, 2011.

/s/ Mark S. Hilario
MARK S. HILARIO
Attorney for Debtor

CERTIFICATE OF SERVICE

I, the undersigned, Mark S. Hilario, do hereby certify under penalty of perjury that a copy of the within and foregoing *Debtor's Motion to Modify Confirmed Chapter 13 Plan Dated October 9, 2011, and Notice*, was sent via ECF to:

Robert Drummond, Chapter 13 Trustee
P.O. Box 1829
Great Falls, Montana 59403

Neal Jensen
U.S. Bankruptcy Trustee
P.O. Box 3509
Great Falls, MT 59403

I further certify that on the this 9th day of October 2011, I served a true and correct copy of the foregoing *Debtor's Motion to Modify Confirmed Chapter 13 Plan Dated June 3, 2011, and Notice*, by placing a copy of the same in the U.S. mail, postage prepaid, and addressed to:

1ST FINANCIAL BANK
PO BOX 1100
N SIOUX CITY, SD 57049

AT T UNIVERSAL CARD SERV
PO BOX 6940
THE LAKES, NV 88901

BANK OF AMERICA
1825 E BUCKEYE RD
PHOENIX, AZ 85034

BEST BUY RETAIL SERVICES
PO BOX 15521
WILMINGTON, DE 19850

CAPITAL ONE CARD SERVICE
PO BOX 30281
SLC, UT 84130

CHASE CARD SERVICES
PO BOX 15298
WILMINGTON, DE 19850

CITI CARDS
PO BOX 6003
HAGERSTOWN, MD 21747

FIRST INTERSTATE BANK
PO BOX 30918
BILLINGS, MT 59116

INTERNAL REVENUE SERVICE
PO BOX 21126
PHILADELPHIA, PA 19114

INTERNAL REVENUE SERVICE
TONI SCHAEFER, AGENT
5353 YELLOWSTONE RM 204A
CHEYENNE, WY 82009

JIM YOUREE
21 LAKEVIEW DR
BILLINGS, MONTANA 59105

MT DEPARTMENT OF REVENUE
KIM DAVIS, BK SPEC
PO BOX 7701
HELENA, MT 59604-7701

PNC BANK
PO BOX 3429
PITTSBURGH, PA 15230

SAF MHESAC
PO BOX 1689
HELENA, MT 59624

ST VINCENTS HEALTHCARE
PO BOX 30297
BILLINGS, MT 59107-0297

VALLEY FEDERAL CREDIT UN
PO BOX 20417
BILLINGS, MT 59104

WELLS FARGO BANK, NA
BANKRUPTCY DEPARTMENT
1544 OLD ALABAMA ROAD
ROSWELL, GA 30076

WESTERN SECURITY BANK
PO BOX 20637
BILLINGS, MT 59104

By: /s/ Mark S. Hilario
MARK S. HILARIO